

***United States Court of Appeals
for the Second Circuit***



STATEMENT

ORIGINAL 76-7270

United States Court of Appeals
FOR THE SECOND CIRCUIT

Docket No. 76-7270

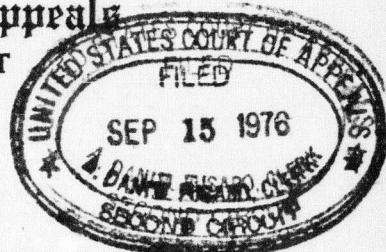
SOPHIE RUSKAY, *et al.*,

Plaintiffs-Appellants,

versus

CHAUNCEY L. WADDELL *et al.*,

Defendants-Appellees.



ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

STATEMENT OF DEFENDANT-APPELLEE
UNITED FUNDS, INC.

KELLEY DRYE & WARREN
Attorneys for Defendant-Appellee
United Funds, Inc.
350 Park Avenue
New York, New York 10022
Tel.: (212) 752-5800

Of Counsel:

ROBERT EHRENBARD
MICHAEL A. BUTTERWORTH

United States Court of Appeals
FOR THE SECOND CIRCUIT

Docket No. 76-7270

SOPHIE RUSKAY, LOUIS FELDMAN, Trustee, etc., WEBSTER
FACTORS, INC., and IRWIN L. FEINBERG, as Trustee etc.,

Plaintiffs-Appellants,
versus

CHAUNCEY L. WADDELL, JOE JACK MERRIMAN, CORNELIUS
ROACH, MITCHEL J. VALICENTI, WADDELL & REED, INC. (a
New York corporation), WADDELL & REED, INC. (a Massa-
chusetts corporation), and UNITED FUNDS, INC.,

Defendants-Appellees,

and

JULIUS JENSEN III et al.,

Defendants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

STATEMENT OF DEFENDANT-APPELLEE
UNITED FUNDS, INC.

Defendant-Appellee United Funds, Inc. adheres to the position taken by its counsel Francis S. Bensel in his affidavit, dated January 12, 1972, in support of the motion for summary judgment (A. 418-421). It was the granting of that motion by the District Court (Metzner, D.J.) that was the basis for the order appealed from herein.

Respectfully submitted,

KELLEY DRYE & WARREN
Attorneys for Defendant-Appellee
United Funds, Inc.
350 Park Avenue
New York, New York 10022
Tel.: (212) 752-5800

Of Counsel:

ROBERT EHRENBARD
MICHAEL A. BUTTERWORTH

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Sept 15 1976

SIR JAMES LAWELL
ATTORNEY TO THE